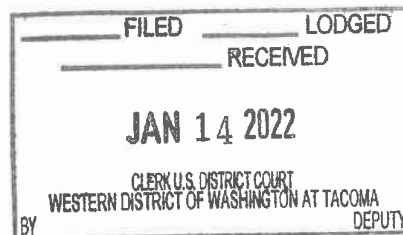


Pro Se 1 2016



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

DAVID Q. WEBB

CASE NO. 3:22-cv-05030-DGE
[to be filled in by Clerk's Office]

COMPLAINT FOR A CIVIL CASE

Jury Trial: ☒ Yes ☐ No

Plaintiff(s),

v.

KELLY BUSEY, Chief of Police;

TRAY FEDERICI, Detective;

FRED DOUGLAS, Lieutenant, et al.,

Defendant(s).

I. THE PARTIES TO THIS COMPLAINT

A. Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name DAVID Q. WEBB

Street Address 40 East Main Street, #137

City and County Newark, New Castle County

State and Zip Code Delaware 19711

Telephone Number (203) 898-5235

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1 B. Defendant(s)

2 *Provide the information below for each defendant named in the complaint, whether the*
 3 *defendant is an individual, a government agency, an organization, or a corporation. For an*
 4 *individual defendant, include the person's job or title (if known). Attach additional pages if*
 5 *needed.*

6 Defendant No. 1

7 Name	KELLY BUSEY
8 Job or Title (if known)	Chief of Police - Gig Harbor Police Department
9 Street Address	3510 Grandview Street
10 City and County	Gig Harbor, Pierce County
11 State and Zip Code	Washington 98335
12 Telephone Number	(253) 851-2236

13 Defendant No. 2

14 Name	TRAY FEDERICI
15 Job or Title (if known)	Detective - Gig Harbor Police Department
16 Street Address	3510 Grandview Street
17 City and County	Gig Harbor, Pierce County
18 State and Zip Code	Washington 98335
19 Telephone Number	(253) 851-2236

20 Defendant No. 3

21 Name	FRED DOUGLAS
22 Job or Title (if known)	Lieutenant - Gig Harbor Police Department
23 Street Address	3510 Grandview Street
24 City and County	Gig Harbor, Pierce County
State and Zip Code	Washington 98335
Telephone Number	(253) 851-2236

Pro Se 1 2016

Defendant No. 4

Name	MATT DOUGIL
Job or Title (<i>if known</i>)	Sergeant - Gig Harbor Police Department
Street Address	3510 Grandview Street
City and County	Gig Harbor, Pierce County
State and Zip Code	Washington 98335
Telephone Number	(253) 851-2236

II. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

1st, 4th & 14th Amendments; 42 U. S. C. 2000d, et sequence &
42 U. S. C. 1983.

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B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual.

The plaintiff (name) _____, is a citizen of the
State of (name) _____.

b. If the plaintiff is a corporation.

The plaintiff, (name) _____, is incorporated under
the laws of the State of (name) _____, is incorporated under
the laws of the State of (name) _____, and has its principal
place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual.

The defendant, (name) _____, is a citizen of the
State of (name) _____. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation.

The defendant, (name) _____, is incorporated under
the laws of the State of (name) _____, and has its principal
place of business in the State of (name) _____.

Or is incorporated under the laws of (foreign nation) _____,
and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

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3. The Amount in Controversy.

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because (*explain*):

n/a

III. STATEMENT OF CLAIM

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

See ATTACHED CONTINUATION SHEETS.

IV. RELIEF

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

SEE ATTACHED CONTINUATION SHEETS.

V. CERTIFICATION AND CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper

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1 purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
 2 (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or
 3 reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so
 4 identified, will likely have evidentiary support after a reasonable opportunity for further
 5 investigation or discovery; and (4) the complaint otherwise complies with the requirements of
 6 Rule 11.

7 I agree to provide the Clerk's Office with any changes to my address where case-related
 8 papers may be served. I understand that my failure to keep a current address on file with the
 9 Clerk's Office may result in the dismissal of my case.

10 Date of signing:

10 January 2022

11 Signature of Plaintiff

12 Printed Name of Plaintiff

DAVID D. WEBB

14 Date of signing:

15 Signature of Plaintiff

16 Printed Name of Plaintiff

18 Date of signing:

19 Signature of Plaintiff

20 Printed Name of Plaintiff

CONTINUATION SHEETS OF VERIFIED FEDERAL CIVIL RIGHTS COMPLAINT

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON

DAVID Q. WEBB,

Plaintiff

CASE NO. _____

VERIFIED CIVIL RIGHTS COMPLAINT

DEMAND FOR CIVIL JURY TRIAL

V.

KELLY BUSEY, Chief of Police - Gig Harbor Police Department (**Official & Individual Capacities - Final Policy Maker**); **TRAY FEDERICI**, Detective - Gig Harbor Police Department (**Official & Individual Capacities**); **FRED DOUGLAS**, Lieutenant - Gig Harbor Police Department (**Official & Individual Capacities**); **MATT DOUGIL**, Sergeant - Gig Harbor Police Department (**Official & Individual Capacities**); **RYAN ERWIN**, Police Officer - Gig Harbor Police Department (**Official & Individual Capacities**); **ENTERPRISE HOLDINGS, L. L. C.**; **JESSICA RIVERA-SINK**, Assistant Manager at ENTERPRISE RENTAL CAR in Port Orchard, Washington; **KEYBANK/KEYCORP**; **MIKAELA RAE WESSEL**, Former Employee at KeyBank; **TRINITY PARKER**, Employee at KeyBank; **RILEY RANCH**, Employee at KeyBank; **KOHL's DEPARTMENT STORE, INCORPORATED/KOHL'S, INCORPORATED**; **STORMI CROW**, Kohl's Department Store Manager; **THE INN AT GIG HARBOR, L. L. C.**; **MARISOL HERNANDEZ**, Hotel Manager at Inn at Gig Harbor; **OCEAN 5, L. L.C.**; **CARLEE MEIGS**, Employee at Ocean 5; **AARON SHOOK**, General Manager at Oceans 5; **SOMA & CHICO'S**; **HALEY GROVE**, Store Manager at SOMA &

CHICO'S; GIG HARBOR PENINSULA AREA CHAMBER OF COMMERCE;
SPENSER CZULEGER, Former Employee at Gig Harbor Chamber of Commerce; **WARREN**
ZIMMERMAN, President & Chief Executive Officer at Gig Harbor Chamber of Commerce;
BEST WESTERN WESLEY INN & SUITES; SUE BRAATEN, Hotel Manager at Best
Western Wesley Inn & Suites; **SUNSET GRILL RESTAURANT; ALEXANDRA KEPL**,
Waitress at Sunset Grill Restaurant; **ELIZABETH REMICK**, Restaurant Manager at Sunset Grill
Restaurant; **SALLY BEAUTY SUPPLY; LAUREL STEELE**, Store Manager at Sally Beauty
Supply Store; **TYLER WELCH**, Regional Risk Manager at Enterprise Holdings, L. L. C.;
ROBIN E. ROSE, Housekeeping Employee at The Inn At Gig Harbor, L. L. C.; and **SERENA**
PARTRIDGE, Kohl's Department Store Employee,
Defendants.

I. THE PARTIES TO THIS COMPLAINT

B. Defendant(s) Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name, Job or Title (if known): **KELLY BUSEY**, Chief of Police

Street Address City and County: Gig Harbor Police Department, 3510 Grandview Street, Pierce County

State and Zip Code: Gig Harbor, Washington 98335

Telephone Number: (253) 851-2236

Individual Capacity ["Stripping Doctrine"] & Official Capacity [Final Policy Maker]

Defendant No. 2

Name, Job or Title (if known): **TRAY FEDERICI**, Police Detective

Street Address City and County: Gig Harbor Police Department, 3510 Grandview Street, Pierce County

State and Zip Code: Gig Harbor, Washington 98335

Telephone Number: (253) 851-2236

Individual Capacity ["Stripping Doctrine"] & Official Capacity

Defendant No. 3

Name, Job or Title (if known): **FRED DOUGLAS**, Police Lieutenant

Street Address City and County: Gig Harbor Police Department, 3510 Grandview Street, Pierce County

State and Zip Code: Gig Harbor, Washington 98335

Telephone Number: (253) 851-2236

Individual Capacity ["Stripping Doctrine"] & Official Capacity

Defendant No. 4

Name, Job or Title (if known): **MATT DOUGIL**, Police Sergeant

Street Address City and County: Gig Harbor Police Department, 3510 Grandview Street, Pierce County

State and Zip Code: Gig Harbor, Washington 98335

Telephone Number: (253) 851-2236

Individual Capacity [“Stripping Doctrine”] & Official Capacity

Defendant No. 5

Name, Job or Title (if known): **RYAN ERWIN**, Police Officer

Street Address City and County: Gig Harbor Police Department, 3510 Grandview Street, Pierce County

State and Zip Code: Gig Harbor, Washington 98335

Telephone Number: (253) 851-2236

Individual Capacity [“Stripping Doctrine”] & Official Capacity

Defendant No. 6

Name, Job or Title (if known): **ENTERPRISE HOLDINGS, L. L. C.**

Street Address City and County: 1119 SW 7th Street, Renton, King County

State and Zip Code: Washington 98057

Telephone Number: (425) 228-7650

Official & Individual Capacities

Defendant No. 7

Name, Job or Title (if known): **JESSICA RIVERA SINK**

Street Address City and County: 1665 9th Avenue #8, San Diego, San Diego County

State and Zip Code: California, 92101

Telephone Number: (540) 420-8555

Individual & Official Capacities

Defendant No. 8

Name, Job or Title (if known): **KEYBANK/KEYCORP**

Street Address City and County: 5001 Olympic Drive, NW, Gig Harbor, Pierce County

State and Zip Code: Washington 98402

Telephone Number: (253) 851-6110

Individual & Official Capacities

Defendant No. 9

Name, Job or Title (if known): **MIKAELA RAE WESSEL**

Street Address City and County: 3740 Banner Road, S. E., Port Orchard, Kitsap County

State and Zip Code: Washington 98366

Telephone Number: (253) 732-3389

Individual & Official Capacities

Defendant No. 10

Name, Job or Title (if known): **TRINITY PARKER**

Street Address City and County: **KEYBANK/KEYCORP**, 5001 Olympic Drive, NW, Gig Harbor, Pierce County

State and Zip Code: Washington 98402

Telephone Number: (253) 851-6110

Individual & Official Capacities

Defendant No. 11

Name, Job or Title (if known): **RILEY RANCH**

Street Address City and County: 2602 North Lawrence Street, Tacoma, Pierce County

State and Zip Code: Washington 98407

Telephone Number: (253) 759-5206

Individual & Official Capacities

Defendant No. 12

Name, Job or Title (if known): **KOHL'S DEPARTMENT STORE,
INCORPORATED/KOHL'S, INCORPORATED**

Street Address City and County: 4929 Point Fosdick Drive, NW, Gig Harbor, Pierce County

State and Zip Code: Washington 98335

Telephone Number: (253) 858-2897

Individual & Official Capacities

Defendant No. 13

Name, Job or Title (if known): **STORMI CROW**

Street Address City and County: 714 North Pine Street, Tacoma, Pierce County

State and Zip Code: Washington 98406

Telephone Number: (253) 225-1253

Individual & Official Capacities

Defendant No. 14

Name, Job or Title (if known): **THE INN AT GIG HARBOR, L. L. C.**

Street Address City and County: 3211 56th Street, NW, Gig Harbor, Pierce County

State and Zip Code: Washington 98335

Telephone Number: (253) 858-1111

Individual & Official Capacities

Defendant No. 15

Name, Job or Title (if known): **MARISOL HERNANDEZ**

Street Address City and County: **THE INN AT GIG HARBOR, L. L. C.**, 3211 56th Street, NW,
Gig Harbor, Pierce County

State and Zip Code: Washington 98335

Telephone Number: (253) 858-1111

Individual & Official Capacities

Defendant No. 16

Name, Job or Title (if known): **OCEAN, 5 L. L. C.**

Street Address City and County: 5268 Point Fosdick Drive, NW, Gig Harbor, Pierce County

State and Zip Code: Washington 98335

Telephone Number: (253) 857-7529

Individual & Official Capacities

Defendant No. 17

Name, Job or Title (if known): **CARLEE MEIGS**

Street Address City and County: 11701 Ranch Drive, SW, Port Orchard, Kitsap County

State and Zip Code: Washington 98366

Telephone Number: (360) 874-2505

Individual & Official Capacities

Defendant No. 18

Name, Job or Title (if known): **AARON SHOOK**

Street Address City and County: 4203 S. E. Horsehead Way, Port Orchard, Kitsap County

State and Zip Code: Washington 98366

Telephone Number: (989) 309-0085

Individual & Official Capacities

Defendant No. 19

Name, Job or Title (if known): **SOMA & CHICO'S**

Street Address City and County: 4729 Point Fosdick Drive, NW, Gig Harbor, Pierce County

State and Zip Code: Washington 98335

Telephone Number: (253) 851-4055

Individual & Official Capacities

Defendant No. 20

Name, Job or Title (if known): **HALEY GROVE**

Street Address City and County: 1500 Grover Street, Lynden, Whatcom County

State and Zip Code: Washington 98264

Telephone Number: (360) 223-9866

Individual & Official Capacities

Defendant No. 21

Name, Job or Title (if known): **GIG HARBOR PENINSULA AREA CHAMBER OF COMMERCE**

Street Address City and County: 3125 Judson Street, Gig Harbor, Pierce County

State and Zip Code: Washington 98335

Telephone Number: (253) 851-6865

Individual & Official Capacities

Defendant No. 22

Name, Job or Title (if known): **SPENSER CZULEGER**

Street Address City and County: 1710 Lucille Parkway, NW, Gig Harbor, Pierce County

State and Zip Code: Washington 98335

Telephone Number: (360) 674-2381

Individual & Official Capacities

Defendant No. 23

Name, Job or Title (if known): **WARREN ZIMMERMAN**

Street Address City and County: 3311 Harborview Drive #101, Gig Harbor, Pierce County

State and Zip Code: Washington 98332

Telephone Number: (253) 851-6865

Individual & Official Capacities

Defendant No. 24

Name, Job or Title (if known): **BEST WESTERN WESLEY INN & SUITES**

Street Address City and County: 6575 Kimball Drive, Gig Harbor, Pierce County

State and Zip Code: Washington 98335

Telephone Number: (253) 858-9690

Individual & Official Capacities

Defendant No. 25

Name, Job or Title (if known): **SUE BRAATEN**

Street Address City and County: 8802 Randall Drive, NW, Gig Harbor, Pierce County

State and Zip Code: Washington 98332

Telephone Number: (253) 222-3108

Individual & Official Capacities

Defendant No. 26

Name, Job or Title (if known): **SUNSET GRILL RESTAURANT**

Street Address City and County: 4926 Point Fosdick Drive, NW, Gig Harbor, Pierce County

State and Zip Code: Washington 98335

Telephone Number: (253) 851-8282

Individual & Official Capacities

Defendant No. 27

Name, Job or Title (if known): **ALEXANDRA KEPL**

Street Address City and County: 5900 Soundview Drive, #1102, Pierce County

State and Zip Code: Washington 98335

Telephone Number: (253) 370-4442

Individual & Official Capacities

Defendant No. 28

Name, Job or Title (if known): **ELIZABETH REMICK**

Street Address City and County: 6425 151st Street, NW, Gig Harbor, Pierce County

State and Zip Code: Washington 98332

Telephone Number: (253) 225-6131

Individual & Official Capacities

Defendant No. 29

Name, Job or Title (if known): **SALLY BEAUTY SUPPLY**

Street Address City and County: 5500 Olympic Drive, NW, #1-103, Gig Harbor, Pierce County

State and Zip Code: Washington 98335

Telephone Number: (253) 858-4982

Individual & Official Capacities

Defendant No. 30

Name, Job or Title (if known): **LAUREL STEELE**

Street Address City and County: **SALLY BEAUTY SUPPLY**, 5500 Olympic Drive, NW, #1-103, Gig Harbor, Pierce County

State and Zip Code: Washington 98335

Telephone Number: (253) 858-4982

Individual & Official Capacities

Defendant No. 31

Name, Job or Title (if known): **TYLER WELCH**

Street Address City and County: 1099 NW Redwing Drive, Oak Harbor, Island County

State and Zip Code: Washington 98277

Telephone Number: (512) 577-5884

Individual & Official Capacities

Defendant No. 32

Name, Job or Title (if known): **ROBIN E. ROSE**

Street Address City and County: 3315 McKinley Avenue #2, Tacoma, Pierce County

State and Zip Code: Washington 98404

Telephone Number: (713) 574-5287

Individual & Official Capacities

Defendant No. 33

Name, Job or Title (if known): **SERENA PARTRIDGE**

Street Address City and County: 3606 66th Avenue Court, N. W., Gig Harbor, Pierce County

State and Zip Code: Washington 98335

Telephone Number: (253) 509-3386

Individual & Official Capacities

II. PREVIOUS LAWSUITS

Describe the Lawsuit:

On 20 July 2011, **Plaintiff Webb** was pulled over by **Defendant Murray**, an **Ogden City Police Officer**, after doing a U-Turn and Chasing **Plaintiff Webb** at a High-Rate of Speed for 46 Seconds before ever seeing the Rear License Plate Bulb. **Plaintiff Webb** alleged this Stop was illegal, as was the subsequent Detention, Arrest, and Search.

Defendant Murray transported **Plaintiff Webb** to the **Weber County Jail** where He requested **Plaintiff Webb** be Strip-Searched and Booked into Jail.

Defendant West ordered **Defendant G. Sever** to Strip-Search **Plaintiff Webb**, which was contrary to Jail Policy and in violation of **Plaintiff Webb's** Constitutional Rights.

After the illegal Strip-Search , **Plaintiff Webb** was Punished by Defendant West for invoking His **5th Amendment Civil Right** against Self-Incrimination, by being placed in a small concert floor cell without any bathroom and/or sitting area and refused to allow **Plaintiff Webb** to use the bathroom for more than four (4) hours.

Plaintiff Webb was held in Jail without any Judicial Determination of Probable Cause for Five (5) Days.

When **Plaintiff Webb** was finally brought before a Judge on 26 July 2011, the Charges were Stricken and **Plaintiff Webb** was Released from Jail.

On 15 August 2011, Plaintiff Webb filed a **42 U. S. C. 1983, Action Pro Se** for violating His **United States Constitutional Civil Rights** by various **Ogden City** and **Weber County Defendants**.

Parties to this previous lawsuit:

Plaintiff(s):

David Q. Webb

Defendant(s):

Kevin Murray, et al.

Court and Name of District:

U. S. District Court for the Northern District of Utah

Docket Number:

1:11-CV-00128-DN-EJF

Assigned Judge:

Honorable David Nuffer, U. S. District Judge and **Honorable Evelyn J. Furse**, U. S. Magistrate Judge

Disposition: (For example, was the Case Dismissed as Frivolous or for Failure to State a Claim? Was it Appealed? Is it still pending?)

This Case was Vigorously Fought in the **U. S. District Court for the Northern District of Utah** and Appealed to the **U. S. Court of Appeals for the 10th Circuit** where **Pro Se Plaintiff Webb** Won on Appeal.

Approximate Filing Date of Lawsuit:

23 August 2011

Approximate Date of Disposition:

This Case ended in an Out of Court Settlement through the Court's Mediation Program via **Senior U. S. Magistrate Judge Brooke C. Wells** in the Winter of 2017.

III. BASIS FOR JURISDICTION

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

State or local officials (a § 1983 claim).

B. **Section 1983** allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." **42 U.S.C. § 1983.**

If you are suing under **section 1983**, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

The **United States Constitution under the 1st, 4th and 14th Amendments.**

D. **Section 1983** allows defendants to be found liable only when they have acted "**under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.**" **42 U.S.C. § 1983.** If you are suing under **section 1983**, explain how each

defendant acted under **color of state or local law**. If you are suing under Bivens, explain how each defendant acted under the color of federal law. Attach additional pages if needed.

♦ **PREEMPTIVE STRIKES WITH LEGAL PRECEDENTS FOR SPECIFIC DEFENDANTS NOT BEING ABLE TO CLAIM ABSOLUTE and/or QUALIFIED IMMUNITY to SUIT:**

[1] Local Governmental Immunity encompassing Counties and Municipalities are not entitled to **Sovereign Immunity**. See, **Lincoln County v. Luning**, 133 U. S. 529 (1890); **Moor v. County of Alameda**, 411 U. S. 693, 717-21 (1973); and **Northern Ins. Co. of New York v. Chatham County, Ga.**, 126 S. Ct. 1689, 1693 (2006).

[2] The “**Stripping Doctrine**” under **Ex Parte Young**, 209 U. S. 123 (1908), narrowed by **Edelman v. Jordan**, 415 U. S. 651 (1974).

[3] Plaintiff alleges that Federal Jurisdiction is proper before this Court by Preemptive Legal Strike against RCW 4.96.020 [See, **Patsy v. Board of Regents of State of Florida**, 457 U. S. 496 (1991); **Edgar v. Mite Corporation**, 457 U. S. 624 (1982); and **Felder v. Casey**, 487 U. S. 131 (1988) under the U. S. Supremacy Clause under Article IV, Paragraph 2 of the U. S. Constitution].

Simply put, I would not need to await Sixty (60) Days to expire under **RCW 4.96**, to go forth with a **Federal Civil Rights Complaint** within the **United States District Court for the Western District of Washington**. There is no Statute of Limitations contained within the Language of **42 U. S. C. 1983**.

The **United States Supreme Court** has directed that **42 U. S. C. 1988**, “requires Courts to borrow and apply to all **1983 Claims** the One (1) most analogous State Statute of Limitations.” See, **Owens v. Okure**, 488 U. S. 235, 240 (1989). In **Washington State** the **Personal Injury Statute of Limitation** is Three (3) Year pursuant **RCW 4.16.080**.

[4] **Kelly Busey**, Chief of Police for the Gig Harbor Police Department in His **Official Capacity** as the **Final Policy Maker** for the **City of Gig Harbor Government** as the Signee and Direct Recipient of Federal Funding from the **United States Justice Department - Title VI Regulatory Program Provisions** under **42 U. S. C. 2000d**, et sequence, under **Title VI of the Civil Rights Act of 1964**.

[5] These Governmental Actors Misconduct explicitly detailed below has violated with impunity the **U. S. Department of Justice - Civil Rights Division’s** creation purpose through the **Civil Rights Act of 1957**, which mandates working to uphold the Civil and Constitutional Rights of all Americans, particularly some of the most vulnerable members of U. S. Society by prohibiting **Discrimination** on the basis of **Race, Color, Sex, Disability, Religion, Familial Status and National Origin**.

[6] The **Federal Supplemental Jurisdiction** for **Defendants** are under **28 U. S. C. 1367** against the **Washington State Tort Claims**.

[7] The Federal Jurisdiction for State Actor Defendants are under 28 U. S. C. 1331 for Federal Questions.

IV. STATEMENT OF CLAIM

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Claims Alleged Against Each Defendant:

COUNT I: 42 U. S. C. 2000d, et sequence UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

42 U. S. C. 2000d, et sequence under Title VI of the Civil Rights Act of 1964, Abrogates All Immunity upon the acceptance of Federal Funding, because Pro Se Plaintiff David Webb is Alleging Intentional Discrimination against all Defendants in their Official Capacity based on Plaintiff Webb's Race, Color and National Origin as an African American Male under 42 U. S. C. 1983.

All Absolute & Qualified Immunity is Official Immunity derived from the 11th Amendment of the U. S. Constitution, which has been completely abrogated under 42 U. S. C. 2000d-7, et sequence, under Title VI.

If the State or Local Government Entities Receive Federal Funding for whatever purpose, They Cannot Claim Sovereign Immunity if They are Sued in Federal Court for Discrimination. The United States Code Title 42, Section 2000d, et sequence, explicitly precludes such Immunity.

[1] Defendant KELLY BUSEY, Chief of Police - Final Policy Maker [City of Gig Harbor Government]

Plaintiff Webb is alleging that the City of Gig Harbor Government has been engaged in Intentional Discrimination based on His Race, Color & National Origin as an African American Male while being a Recipient of Federal Funding from multiple Federal Agencies, specifically germane here are the United States Department of Justice.

Plaintiff Webb further alleges that as a Federal Funding Recipient the City of Gig Harbor Government's Sovereign Immunity has been completely Abrogated by 42 U. S. C. 2000d, et sequence, under Title VI of the Civil Rights Act of 1964, for having Ordinances, Resolutions, Rules, Regulations, Motions, Policies and Procedures in place that were denied to Plaintiff Webb based on His Race, Color & National Origin as a African American Male that

caused the violation of **Plaintiff Webb's U. S. Constitutional Civil Rights under the 1st, 4th & 14th Amendments** that has injured Him for being denied the **Freedom of Association** and held through **illegal Detainment** at the **Gig Harbor WA DOL Peninsula License Agency, L. L. C.**, 3206 50th Street Court, N. W., #A-109, Gig Harbor, Washington 98335 on 28 February 2019, which also violated His Right of **Equal Protection Under the Laws**, and earlier on 20 February 2019, denied **Equal Protection Under the Laws under the 14th Amendment** at the **Gig Harbor Police Department**, which affords a **Private Right of Action** under **42 U. S. C. 1983**, which affords **Money Damages**.

Lastly, Plaintiff Webb further alleges that all **City of Gig Harbor Government Defendant Employees** Named below in their **Official Capacities** Acting under "**Color of Law**" are also stripped of any **Sovereign Immunity** under the **Qualified Immunity Doctrine** for their Actions and/or Lack of Actions, for having **Ordinances, Resolutions, Rules, Regulations, Motions, Policies and Procedures** in place that were denied to **Plaintiff Webb** based on His **Race, Color & National Origin** as a **African American Male** during the illegal Detainment of **Plaintiff Webb** at the **Gig Harbor WA DOL Peninsula License Agency, L. L. C.**, 3206 50th Street Court, N. W., #A-109, Gig Harbor, Washington 98335 on 28 February 2019, and earlier on 20 February 2019, denied **Equal Protection Under the Laws under the 14th Amendment** at the **Gig Harbor Police Department**, which also violated His Right of **Equal Protection Under the Laws**, which affords a **Private Right of Action** under **42 U. S. C. 1983**, which affords **Money Damages**.

[A] Defendant KELLY BUSEY, Chief of Police as **Final Policy Makers** in His **Official Capacity** for the **City of Gig Harbor Government** failed to ensure that the **Ordinances, Resolutions, Rules, Regulations, Motions, Policies and Procedures** in place for precluding the illegal Detainment of **Plaintiff Webb** by **Defendant TRAY FEDERICI** of the **Gig Harbor Police Department** on 28 February 2019, would be with proper cause, which violates the **1st, 4th Amendment of the United States Constitution** under **illegal Detention** and the **14th Amendment of Equal Protection Under the Laws** based on the earlier incident immediately Reported to **Defendant BUSEY & Defendant FRED DOUGLAS** on 20 February 2019, denied **Equal Protection Under the Laws under the 14th Amendment** at the **Gig Harbor Police Department**, by **Defendants MATT DOUGIL**, Sergeant - Gig Harbor Police Department & **RYAN ERWIN**, Police Officer - Gig Harbor Police Department, which also violated His Right of **Equal Protection Under the Laws**, which affords a **Private Right of Action** under **42 U. S. C. 1983**, which affords **Money Damages**.

Defendant KELLY BUSEY, Chief of Police as **Final Policy Makers** in His **Individual Capacity** for the **City of Gig Harbor Government** failed to ensure that the **Ordinances, Resolutions, Rules, Regulations, Motions, Policies and Procedures** in place on 20 February 2019 at the **Gig Harbor Police Department** failed to properly handle the **Official Note & Voicemail** on 20 February 2019, of the Police Misconduct of **Defendants MATT DOUGIL & RYAN ERWIN** on 20 February 2019 & **Official Complaint** sent directly to **Defendant Busey** via Email on 19 March 2019, with His response on 20 March 2019, [See Attached] would be properly investigated by **Defendant**

KELLY BUSEY, which violates the **14th Amendment of Equal Protection Under the Laws** and is Actionable under **42 U. S. C. 1983**, which affords **Money Damages**.

Plaintiff Webb's Official Complaint is attached and **Defendant Busey's Response** to lay-out the facts supporting these Claims against **Defendant Busey** in His **Individual Capacity**.

Additionally, **Defendant Busey** participated in the **Malicious Prosecution of Plaintiff Webb** in the **Kitsap County Superior Court** by providing the whereabouts of **Plaintiff Webb** residing in Gig Harbor, Washington to the **Port Orchard Chief of Police** that led to the **Illegal Arrest; Illegal Detention and Malicious Prosecution** by the **Kitsap County Prosecutor** and makes **Defendant Busey Legally Culpable** under the **Washington State Tort Claim for Negligent Infliction of Emotional Distress**.

On 03 February 2020, **Case No. 23428401** within the **Kitsap County District Court** and all other **Felony and Misdemeanor Criminal Charges** within the **Kitsap County Superior Court** under **Case Nos. 19-1-00389-18 & 19-1-00800-18**, were **Dismissed With Prejudice** based on a **Malicious Prosecution** of a **"Factual Innocent" Criminal Defendant Webb**.

The **Malicious Prosecution** is predicated on **Attorney Kevin M. Anderson, Former Kitsap County Chief Public Defender** comments on 25 April 2019, wherein He explicitly stated directly to **Criminal Defendant Webb** that He was **Factually Innocent** of the Criminal Charges within the **Kitsap County Superior Court - Case #19-1-000389-18** and "...I have spoken with My Counterpart, the **Kitsap County Prosecutor (Defendant ATTORNEY CHAD M. ENRIGHT)** and studied all the evidence in this Case and..." "...all I have to do is pick up the Phone and Call the **Kitsap County Prosecutor** and the Case would be over, but the 'Powers to be' wanted to teach **Criminal Defendant Webb** a lesson about Sleeping with so many Married White Women in Our County..." "...Despite You being **Factually Innocent** of the Charges in this County as an African American the Jury will still find You Guilty..."

This was confirmed Eight (8) Months later by **ATTORNEY JOHN SCOTT BOUGHER** on 12 December 2019, [See Pro Se Defendant Webb's **"MOTION FOR TERMINATION OF COURT APPOINTED COUNSEL"** Filed with the Kitsap County District Court Case No. **23428401**, on 27 December 2019] by stating the following: "...Also, **Defendant BOUGHER** made His own culpable statement contained in the same **MOTION - - The Only thing Attorney Bougher** has made Unequivocal is that the **"...Judicial Officers and Plaintiff [State of Washington] 'Powers to Be' are disgusted with your Actions that are not Criminal, but Will Not Be Tolerated In Our Community and the Jury Will Convict You On Principle Alone, Despite No Crime has been Committed..."**

Both above are Predicated on the **Federal Petition for a Writ of Habeas Corpus** Filed within the **United States District Court for the Western District of Washington**

(Case No. 3:19-CV-05561-BHS) Petition for a Federal Writ of Habeas Corpus under 28 U. S. C. 2241(c)(3), pursuant to Special Circumstances for Federal Intervention.

[B] Defendant TRAY FEDERICI, Detective - Gig Harbor Police Department (Official & Individual Capacities).

Plaintiff Webb incorporates COUNT I: [1] above herewith for Defendant TRAY FEDERICI.

Plaintiff further states that **Defendant TRAY FEDERICI** and approximately Seven (7) other **John Doe Law Enforcement Personnel** from the **Gig Harbor Police Department** personally participated in the **illegal Detainment of Plaintiff Webb** on 28 February 2019, shortly after 1:03 p.m., after being phoned by **Defendant SPENSER CZULEGER** who was waiting at the **WA DOL Peninsula License Agency, L. L. C.**, 3206 50th Street Court, N. W., #A-109, Gig Harbor, Washington 98335 and **Plaintiff Webb** without any prior knowledge of **Defendant SPENSER CZULEGER** presence at the same location entered to pay the Fees for Registering His recently purchased **2004 Buick Rainier** under **VIN No. 5GADT13S642170094 - Washington License Plate No. BOT3231** [See attached Registration Certificate & Sales Receipt] and upon **Plaintiff Webb** finishing His Vehicle Registration Business **Defendant TRAY FEDERICI** and One (1) other **John Doe Law Enforcement Personnel** from the **Gig Harbor Police Department** had entered the **WA DOL Peninsula License Agency Office Public Entrance**, and blocking any exit from the **WA DOL Peninsula License Agency Office Public Entrance**, and telling **Plaintiff Webb** that They wanted to talk with **Plaintiff Webb** after already alerting the Building Owner and all **WA DOL Peninsula License Agency Office Staff Personnel** that They were here to talk with **Plaintiff Webb**.

Several of the White Gig Harbor Public Citizens Spoke-Up stating that **Plaintiff Webb** had been sitting here waiting peacefully for His turn to be assisted by the **WA DOL Peninsula License Agency Office Staff** and **One (1) White Woman (Jane Doe)** protested that **Plaintiff Webb** had done nothing wrong and should be left alone.

Then **Plaintiff Webb** identified Himself to **Defendant TRAY FEDERICI** and asked what this encounter was all about as **Plaintiff Webb's** exit from the **WA DOL Peninsula License Agency Office** was being blocked by **Defendant TRAY FEDERICI**.

Defendant TRAY FEDERICI then stated We want to told with You without specifically stating what it was referencing and **Plaintiff Webb** explicitly stated that any communications with Him can be done through **Plaintiff Webb's Lawyer** and when **Defendant TRAY FEDERICI** asked who that was, **Plaintiff Webb** provided His Lawyers Name, but **Defendant TRAY FEDERICI** continued to position Himself Aggressively in front of **Plaintiff Webb's** pathway from walking away and now being outside **Plaintiff Webb** could see at least Six (6) other **Law Enforcement Personnel from the Gig Harbor Police Department** standing **Behind, Beside and in Front of Plaintiff Webb** blocking all directions of walking away.

Plaintiff Webb explicitly stated again and again to contact **His Lawyer** and **Defendant TRAY FEDERICI Aggressive Position** of blocking **Plaintiff Webb's** ability to move forward continued over the next Ten (10) Minutes.

All the while this unknown **Jane Doe White Woman** is protesting to allow **Plaintiff Webb** the ability to walk away.

Then **Defendant TRAY FEDERICI** screams out that **Plaintiff Webb "...Likes talking to Little Girls..."**

Plaintiff Webb once again ask **Defendant TRAY FEDERICI** to communicate with **His Lawyer** and **Defendant TRAY FEDERICI** and the other **Seven (7) Law Enforcement Personnel from the Gig Harbor Police Department** moves out of **Plaintiff Webb's** pathway to go forward and **Plaintiff Webb** exits the **Property** of the **WA DOL Peninsula License Agency Office Parking Lot** and walks to the nearest **StarBucks** and is so shaken by what **Defendant TRAY FEDERICI screamed-out that Plaintiff Webb stays at the StarBucks for Two-Hours calming-down Emotionally and Mentally.**

[C] **Defendant FRED DOUGLAS**, Lieutenant - Gig Harbor Police Department (Official & Individual Capacities).

Plaintiff Webb incorporates **COUNT I: [1] & COUNT 1: [1][A]**, above herewith for **Defendant FRED DOUGLAS**.

Plaintiff Webb contends that **Defendant FRED DOUGLAS** was spoken to directly In-Person and provided with the same Note and Voicemail on 20 February 2019, left for **Defendant BUSEY** about the **Police Misconduct** of **Defendants Matt DOUGIL & RYAN ERWIN** and sent the same **Official Complaint** as **Defendant KELLY BUSEY** and did nothing to resolve the issues brought to His attention as detailed in the attached **Official Complaint** dated 19 March 2019, from the incident with **Defendants MATT DOUGIL & RYAN ERWIN** on 20 February 2019.

[D] **Defendant MATT DOUGIL**, Sergeant - Gig Harbor Police Department (Official & Individual Capacities).

Plaintiff Webb incorporates **COUNT I: [1]** above herewith for **Defendant MATT DOUGIL**.

Plaintiff Webb further incorporates the attached **Official Complaint** as **Exhibit - A** to **Defendants KELLY BUSEY & FRED DOUGLAS** about the **Police Misconduct** of **Defendants MATT DOUGIL & RYAN ERWIN** on 20 February 2019.

[E] **Defendant RYAN ERWIN**, Police Officer - Gig Harbor Police Department (Official & Individual Capacities).

Plaintiff Webb incorporates **COUNT I: [1]** above herewith for **Defendant RYAN ERWIN**.

Plaintiff Webb further incorporates the attached **Official Complaint** as **Exhibit - A** to **Defendants KELLY BUSEY & FRED DOUGLAS** about the **Police Misconduct** of **Defendants MATT DOUGIL & RYAN ERWIN** on 20 February 2019.

The **Federal Jurisdiction** for these above **Defendants** are under 28 U. S. C. 1331.

COUNT II: 42 U. S. C. 1983

- **Plaintiff Webb** incorporates these facts herewith from above under **COUNT I: [1]** herewith against these below **Defendants**.

[1] Defendant KELLY BUSEY, Chief of Police - Gig Harbor Police Department (Official & Individual).

Plaintiff Webb incorporates **COUNT I: [1][A]** above herewith for **Defendant KELLY BUSEY**.

[2] Defendant TRAY FEDERICI, Detective - Gig Harbor Police Department (Official & Individual Capacities)

Plaintiff Webb incorporates **COUNT I: [1][B]** above herewith for **Defendant TRAY FEDERICI**.

[3] Defendant FRED DOUGLAS, Lieutenant - Gig Harbor Police Department (Official & Individual Capacities)

Plaintiff Webb incorporates **COUNT I: [1][C]** above herewith for **Defendant FRED DOUGLAS**.

[4] Defendant MATT DOUGIL, Sergeant - Gig Harbor Police Department (Official & Individual Capacities)

Plaintiff Webb incorporates **COUNT I: [1][D]** above herewith for **Defendant MATT DOUGIL**.

[5] Defendant RYAN ERWIN, Police Officer - Gig Harbor Police Department (Official & Individual Capacities)

Plaintiff Webb incorporates **COUNT I: [1][E]** above herewith for **Defendant RYAN ERWIN**.

The **Federal Jurisdiction** for these above **Defendants** are under 28 U. S. C. 1331.

COUNT III: 1st AMENDMENT OF THE U. S. CONSTITUTION

- **Plaintiff Webb incorporates these facts herewith** from above under **COUNT I: [1]** herewith against this below **Defendant**.

[1] Defendant TRAY FEDERICI, Detective - Gig Harbor Police Department (**Official & Individual Capacities**).

Plaintiff Webb incorporates **COUNT I: [1][B]** above herewith for **Defendant TRAY FEDERICI**.

The **Federal Jurisdiction** for **Defendant FEDERICI** above is under **28 U. S. C. 1331**.

COUNT IV: 4th AMENDMENT OF THE U. S. CONSTITUTION

- **Plaintiff Webb incorporates these facts herewith** from above under **COUNT I: [1]** herewith against these below **Defendants**.

[1] Defendant KELLY BUSEY, Chief of Police - Gig Harbor Police Department (**Official & Individual**).

Plaintiff Webb incorporates **COUNT I: [1][A]** above herewith for **Defendant KELLY BUSEY**.

[2] Defendant TRAY FEDERICI, Detective - Gig Harbor Police Department (**Official & Individual Capacities**).

Plaintiff Webb incorporates **COUNT I: [1][B]** above herewith for **Defendant TRAY FEDERICI**.

The **Federal Jurisdiction** for these above **Defendants** are under **28 U. S. C. 1331**.

COUNT V: 14th AMENDMENT OF THE U. S. CONSTITUTION

- **Plaintiff Webb incorporates these facts herewith** from above under **COUNT I: [1]** herewith against these below **Defendants**.

[1] Defendant KELLY BUSEY, Chief of Police - Gig Harbor Police Department (**Official & Individual**).

Plaintiff Webb incorporates **COUNT I: [1][A]** above herewith for **Defendant KELLY BUSEY**.

[2] Defendant TRAY FEDERICI, Detective - Gig Harbor Police Department (**Official & Individual Capacities**).

Plaintiff Webb incorporates **COUNT I: [1][B]** above herewith for **Defendant TRAY FEDERICI**.

[3] Defendant FRED DOUGLAS, Lieutenant - Gig Harbor Police Department (**Official & Individual Capacities**)

Plaintiff Webb incorporates **COUNT I: [1][C]** above herewith for **Defendant FRED DOUGLAS**.

[4] Defendant MATT DOUGIL, Sergeant - Gig Harbor Police Department (**Official & Individual Capacities**)

Plaintiff Webb incorporates **COUNT I: [1][D]** above herewith for **Defendant MATT DOUGIL**.

[5] Defendant RYAN ERWIN, Police Officer - Gig Harbor Police Department (**Official & Individual Capacities**)

Plaintiff Webb incorporates **COUNT I: [1][E]** above herewith for **Defendant RYAN ERWIN**.

The **Federal Jurisdiction** for these above **Defendants** are under **28 U. S. C. 1331**.

COUNT VI: DELIBERATE INDIFFERENCE

[1] Defendant KELLY BUSEY, Chief of Police - Gig Harbor Police Department (**Official & Individual Capacities**) incorporates **COUNT I: [1]** & **COUNT I: [1][A]** from above herewith as the factual basis for **Deliberate Indifference**.

[2] Defendant FRED DOUGLAS, Lieutenant - Gig Harbor Police Department (**Official & Individual Capacities**) incorporates **COUNT I: [1]** & **COUNT I: [1][C]** from above herewith as the factual basis for **Deliberate Indifference**.

The **Federal Jurisdiction** for **Defendants BUSEY & DOUGLAS** are under **28 U. S. C. 1331**.

COUNT VII: WASHINGTON STATE CONSTITUTION, ARTICLE 1, SECTION 5

“...SECTION 5 FREEDOM OF SPEECH. Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that right...”

[1] Defendant JESSICA RIVERA SINK precluded the **“Free Speech”** & **“Freedom of Association”** of **Plaintiff Webb** after She agreed to a **Consensual Relationship**, but told **Disparaging Information** to the **Port Orchard Police Department** and had **Defendant ENTERPRISE HOLDINGS, L. L. C.**, through **Defendant Tyler Welch** authorize and issue the **“NO TRESPASS NOTICE”** - - **“...This**

is to formally notify you that you are NOT permitted to enter any Enterprise, National or Alamo Properties Nation-Wide and have been placed on our National Do Not Rent List..." on 01 April 2019, in the attached Letter to Plaintiff Webb, because He acted in His Official Capacity as the Regional Risk Manager and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant ENTERPRISE HOLDINGS, L. L. C.

[2] Defendants MIKAELA RAE WESSEL; TRINITY PARKER; and RILEY RANCH precluded the "Free Speech" & "Freedom of Association" of Plaintiff Webb after They agreed to each consenting to Their interaction with Plaintiff Webb and provided their Personal Contact Information, but told Disparaging Information to the Port Orchard Police Department and Gig Harbor Police Department and had Defendant KEYBANK/KEYCORP, through Defendant Riley Ranch authorize and request the issuance of the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant KEYBANK/KEYCORP.

[3] Defendant SERENA PARTRIDGE precluded the "Free Speech" & "Freedom of Association" of Plaintiff Webb after Defendant SERENA PARTRIDGE, Kohl's Department Store Employee agreed to consenting to Her interaction with Plaintiff Webb and provided Her Photograph and Personal Contact Information, but told Disparaging Information to the Gig Harbor Police Department and had Defendant KOHL'S DEPARTMENT STORE, INCORPORATED/KOHL'S, INCORPORATED, through Defendant Stormi Crow authorize and request the issuance of the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant KOHL'S DEPARTMENT STORE, INCORPORATED/KOHL'S, INCORPORATED.

[4] Defendant ROBIN E. ROSE precluded the "Free Speech" & "Freedom of Association" of Plaintiff Webb after Defendant ROBIN E. ROSE, Housekeeping Employee agreed to consenting to Her interaction with Plaintiff Webb and provided Her Photograph; Sexually Explicit Text Messages and Personal Contact Information, but told Disparaging Information to the Gig Harbor Police Department and had Defendant THE INN AT GIG HARBOR, L. L. C., through Defendant Marisol Hernandez authorize and request the issuance of the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County

Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant THE INN AT GIG HARBOR, L. L. C.

[5] Defendant CARLEE MEIGS precluded the "Free Speech" & "Freedom of Association" of Plaintiff Webb after Defendant CARLEE MEIGS, Ocean 5 Employee agreed to consenting to Her interaction with Plaintiff Webb and provided Her Personal Contact Information, but told Disparaging Information to the Gig Harbor Police Department and had Defendant OCEAN 5, through Defendant Aaron Shook authorize and request the issuance of the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant OCEAN 5, L. L.C.

[6] Defendant HALEY GROVE precluded the "Free Speech" & "Freedom of Association" of Plaintiff Webb after Defendant HALEY GROVE, SOMA Store Manager agreed to consenting to Her interaction with Plaintiff Webb and provided Her Personal Contact Information, but told Disparaging Information to the Gig Harbor Police Department and had Defendants SOMA & CHICO'S, through Defendant HALEY GROVE authorize and request the issuance of the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendants SOMA & CHICO'S.

[7] Defendant SPENSER CZULEGER precluded the "Free Speech" & "Freedom of Association" of Plaintiff Webb after Defendant SPENSER CZULEGER, Former Staff Personnel agreed to consenting to Her interaction with Plaintiff Webb and provided Her Business Contact Information, but told Disparaging Information to the Gig Harbor Police Department and had Defendant GIG HARBOR PENINSULA AREA CHAMBER OF COMMERCE, through Defendant WARREN ZIMMERMAN, President & Chief Executive Officer authorize and request the issuance of the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant GIG HARBOR PENINSULA AREA CHAMBER OF COMMERCE.

[8] Defendant Defendant SUE BRAATEN precluded the "Free Speech" & "Freedom of Association" of Plaintiff Webb after Defendant SUE BRAATEN, Hotel Manager provided Disparaging Information to the Gig Harbor Police Department and had Defendant BEST WESTERN WESLEY INN & SUITES, through Defendant SUE BRAATEN, Hotel Manager authorize and request the issuance of the "NO TRESPASS

ADMONISHMENT” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant BEST WESTERN WESLEY INN & SUITES.

[9] Defendant ALEXANDRA KEPL precluded the “Free Speech” & “Freedom of Association” of Plaintiff Webb after Defendant ALEXANDRA KEPL, Waitress at Sunset Grill Restaurant agreed to consenting to Her interaction with Plaintiff Webb and provided Her Personal Contact Information, but told Disparaging Information to the Gig Harbor Police Department and had Defendant SUNSET GRILL RESTAURANT, through Defendant ELIZABETH REMICK, Sunset Grill Restaurant Manager authorize and request the issuance of the “**NO TRESPASS ADMONISHMENT**” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant SUNSET GRILL RESTAURANT.

[10] Defendant LAUREL STEELE precluded the “Free Speech” & “Freedom of Association” of Plaintiff Webb after Defendant LAUREL STEELE, Store Manager provided Disparaging Information to the Gig Harbor Police Department and had Defendant SALLY BEAUTY SUPPLY, through Defendant LAUREL STEELE, Store Manager authorize and request the issuance of the “**NO TRESPASS ADMONISHMENT**” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant SALLY BEAUTY SUPPLY.

The Federal Jurisdiction for these Defendants above would be under 28 U. S. C. 1367.

COUNT VIII: WASHINGTON STATE CONSTITUTION, ARTICLE 1, SECTION 7

“...SECTION 7 INVASION OF PRIVATE AFFAIRS OR HOME PROHIBITED. No person shall be disturbed in his private affairs, or his home invaded, without authority of law...”

[1] Defendant ENTERPRISE HOLDINGS, L. L. C. disturbed Plaintiff Webb’s private affairs without authority of law through Defendant Tyler Welch authorize and issue the “**NO TRESPASS NOTICE**” - - “...This is to formally notify you that you are NOT permitted to enter any Enterprise, National or Alamo Properties Nation-Wide and have been placed on our National Do Not Rent List...” on 01 April 2019, in the attached Letter to Plaintiff Webb, because He acted in His Official Capacity as the Regional Risk Manager and the Kitsap County Prosecutor’s Office nor the

Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant ENTERPRISE HOLDINGS, L. L. C.

[2] Defendant KEYBANK/KEYCORP disturbed Plaintiff Webb's private affairs without authority of law through Defendant Riley Ranch authorize and request the issuance of the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant KEYBANK/KEYCORP.

[3] Defendant KOHL's DEPARTMENT STORE, INCORPORATED/KOHL'S, INCORPORATED disturbed Plaintiff Webb's private affairs without authority of law through Defendant STORMI CROW authorize and request the issuance of the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant KOHL's DEPARTMENT STORE, INCORPORATED/KOHL'S, INCORPORATED.

[4] Defendant THE INN AT GIG HARBOR, L. L. C. disturbed Plaintiff Webb's private affairs without authority of law through Defendant Marisol Hernandez authorize and request the issuance of the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant THE INN AT GIG HARBOR, L. L. C.

[5] Defendant OCEAN 5 disturbed Plaintiff Webb's private affairs without authority of law through Defendant Aaron Shook authorize and request the issuance of the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant OCEAN 5, L. L.C.

[6] Defendants SOMA & CHICO'S disturbed Plaintiff Webb's private affairs without authority of law through Defendant HALEY GROVE authorize and request the issuance of the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law"

and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendants SOMA & CHICO'S.

[7] Defendant GIG HARBOR PENINSULA AREA CHAMBER OF COMMERCE disturbed Plaintiff Webb's private affairs without authority of law through Defendant WARREN ZIMMERMAN authorize and request the issuance of the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant GIG HARBOR PENINSULA AREA CHAMBER OF COMMERCE.

[8] Defendant BEST WESTERN WESLEY INN & SUITES disturbed Plaintiff Webb's private affairs without authority of law through Defendant SUE BRAATEN authorize and request the issuance of the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant BEST WESTERN WESLEY INN & SUITES.

[9] Defendant SUNSET GRILL RESTAURANT disturbed Plaintiff Webb's private affairs without authority of law through Defendant ELIZABETH REMICK authorize and request the issuance of the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant SUNSET GRILL RESTAURANT.

[10] Defendant SALLY BEAUTY SUPPLY disturbed Plaintiff Webb's private affairs without authority of law through Defendant LAUREL STEELE authorize and request the issuance of the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant SALLY BEAUTY SUPPLY.

The Federal Jurisdiction for these Defendants above are under 28 U. S. C. 1367

COUNT IX: WASHINGTON STATE CONSTITUTION, ARTICLE 1, SECTION 22

“...SECTION 22 RIGHTS OF THE ACCUSED. In criminal prosecutions the accused shall have the right to appear and defend in person, or by counsel, to demand the nature and cause of the accusation against him, to have a copy thereof, to testify in his own behalf, to meet the witnesses against him face to face, to have compulsory process to compel the attendance of witnesses in his own behalf, to have a speedy public trial by an impartial jury of the county in which the offense is charged to have been committed and the right to appeal in all cases: Provided, The route traversed by any railway coach, train or public conveyance, and the water traversed by any boat shall be criminal districts; and the jurisdiction of all public offenses committed on any such railway car, coach, train, boat or other public conveyance, or at any station or depot upon such route, shall be in any county through which the said car, coach, train, boat or other public conveyance may pass during the trip or voyage, or in which the trip or voyage may begin or terminate. In no instance shall any accused person before final judgment be compelled to advance money or fees to secure the rights herein guaranteed. [AMENDMENT 10, 1921 p 79 Section 1. Approved November, 1922.]...”

[1] Defendants MIKAELA RAE WESSEL; TRINITY PARKER; and RILEY RANCH denied Criminal Defendant Webb “...to meet the witnesses against him face to face...” by failing to Personally Appear at the Jury Trial on Monday, 03 February 2020, as each “Hearsay Testimony” told to the Port Orchard Police Department [Case No. D19-000299] and Gig Harbor Police Department [Case No. 1903801128] was going to be used at the Jury Trial within the Kitsap County District Court [Case No. 23428401] under Washington State Evidence Rule 404(b) as presented in the TRIAL MEMORANDUM dated 23 January 2020, by the State of Washington.

On 03 February 2020, Case No. 23428401 within the Kitsap County District Court and all other Felony and Misdemeanor Criminal Charges within the Kitsap County Superior Court under Case Nos. 19-1-00389-18 & 19-1-00800-18, were Dismissed With Prejudice based on a Malicious Prosecution of a “Factual Innocent” Criminal Defendant Webb.

The Malicious Prosecution is predicated on Attorney Kevin M. Anderson, Former Kitsap County Chief Public Defender comments on 25 April 2019, wherein He explicitly stated directly to Criminal Defendant Webb that He was Factually Innocent of the Criminal Charges within the Kitsap County Superior Court - Case #19-1-000389-18 and “...I have spoken with My Counterpart, the Kitsap County Prosecutor (Defendant ATTORNEY CHAD M. ENRIGHT) and studied all the evidence in this Case and...” “...all I have to do is pick up the Phone and Call the Kitsap County Prosecutor and the Case would be over, but the ‘Powers to be’ wanted to teach Criminal Defendant Webb a lesson about Sleeping with so many Married White Women in Our County...” “...Despite You being Factually Innocent of the Charges in this County as an African American the Jury will still find You Guilty...”

This was confirmed Eight (8) Months later by **ATTORNEY JOHN SCOTT BOUGHER** on 12 December 2019, [See Pro Se Defendant Webb's "**MOTION FOR TERMINATION OF COURT APPOINTED COUNSEL**" Filed with the Kitsap County District Court Case No. **23428401**, on 27 December 2019] by stating the following: "...Also, **Attorney BOUGHER** made His own culpable statement contained in the same **MOTION** - - The Only thing **Attorney Bougher** has made Unequivocal is that the "...**Judicial Officers and Plaintiff** [State of Washington] '**Powers to Be**' are disgusted with your Actions that are not Criminal, but Will Not Be Tolerated In Our Community and the Jury Will Convict You On Principle Alone, Despite No Crime has been Committed..."

Both above are Predicated on the **Federal Petition for a Writ of Habeas Corpus** Filed within the **United States District Court for the Western District of Washington** (Case No. 3:19-CV-05561-BHS) **Petition for a Federal Writ of Habeas Corpus under 28 U. S. C. 2241(c)(3), pursuant to Special Circumstances for Federal Intervention.**

The **Federal Jurisdiction** for these **Defendants** above are under **28 U. S. C. 1367.**

COUNT X: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

[1] Defendant **JESSICA RIVERA SINK** committed **Intentional Infliction of Emotional Distress** after She agreed to a **Consensual Relationship**, with **Plaintiff Webb**, but told **Disparaging Information** to the **Port Orchard Police Department** and had Defendant **ENTERPRISE HOLDINGS, L. L. C.**, through Defendant **Tyler Welch** authorize and issue the "**NO TRESPASS NOTICE**" - - "...This is to formally notify you that you are NOT permitted to enter any Enterprise, National or Alamo Properties Nation-Wide and have been placed on our National Do Not Rent List..." on 01 April 2019, in the attached **Letter to Plaintiff Webb**, because He acted in His **Official Capacity** as the **Regional Risk Manager** and the **Kitsap County Prosecutor's Office** nor the **Pierce County Prosecutor's Office** found **NO Criminal Activity** associated with the **Trespass Admonishment** issued by Defendant **ENTERPRISE HOLDINGS, L. L. C.**

[2] Defendants **MIKAELA RAE WESSEL; TRINITY PARKER; and RILEY RANCH** committed **Intentional Infliction of Emotional Distress** after They agreed to each consenting to **Their** interaction with **Plaintiff Webb** and provided their Personal Contact Information, but told **Disparaging Information** to the **Port Orchard Police Department** and **Gig Harbor Police Department** and had Defendant **KEYBANK/KEYCORP**, through Defendant **Riley Ranch** authorize and request the issuance of the "**NO TRESPASS ADMONISHMENT**" on 07 March 2019, by Defendant **TRAY FEDERICI**, Gig Harbor Police Detective to **Plaintiff Webb**, because He acted in His **Official Capacity** as a **Police Officer Acting under "Color of State Law"** and the **Kitsap County Prosecutor's Office** nor the **Pierce County Prosecutor's Office** found **NO Criminal Activity** associated with the **Trespass Admonishment** issued by Defendant **KEYBANK/KEYCORP.**

[3] Defendant SERENA PARTRIDGE, Kohl's Store Employee committed **Intentional Infliction of Emotional Distress** after She agreed to consenting to **Her** interaction with **Plaintiff Webb** and provided Her Photograph and Personal Contact Information, but told **Disparaging Information** to the **Gig Harbor Police Department** and had Defendant KOHL's DEPARTMENT STORE, INCORPORATED/KOHL'S, INCORPORATED, through Defendant Stormi Crow authorize and request the issuance of the "**NO TRESPASS ADMONISHMENT**" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to **Plaintiff Webb**, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant KOHL's DEPARTMENT STORE, INCORPORATED/KOHL'S, INCORPORATED.

[4] Defendant ROBIN E. ROSE, Housekeeping Employee committed **Intentional Infliction of Emotional Distress** after She agreed to consenting to **Her** interaction with **Plaintiff Webb** and provided Her Photograph; Sexually Explicit Text Messages and Personal Contact Information, but told **Disparaging Information** to the **Gig Harbor Police Department** and had Defendant THE INN AT GIG HARBOR, L. L. C., through Defendant Marisol Hernandez authorize and request the issuance of the "**NO TRESPASS ADMONISHMENT**" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to **Plaintiff Webb**, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant THE INN AT GIG HARBOR, L. L. C.

[5] Defendant CARLEE MEIGS committed **Intentional Infliction of Emotional Distress** after She agreed to consenting to **Her** interaction with **Plaintiff Webb** and provided Her Personal Contact Information, but told **Disparaging Information** to the **Gig Harbor Police Department** and had Defendant OCEAN 5, through Defendant Aaron Shook authorize and request the issuance of the "**NO TRESPASS ADMONISHMENT**" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to **Plaintiff Webb**, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant OCEAN 5, L. L.C.

[6] Defendant HALEY GROVE committed **Intentional Infliction of Emotional Distress** after She agreed to consenting to **Her** interaction with **Plaintiff Webb** and provided Her Personal Contact Information, but told **Disparaging Information** to the **Gig Harbor Police Department** and had Defendants SOMA & CHICO'S, through Defendant HALEY GROVE authorize and request the issuance of the "**NO TRESPASS ADMONISHMENT**" on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to **Plaintiff Webb**, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office

nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendants SOMA & CHICO'S.

[7] Defendant SPENSER CZULEGER committed Intentional Infliction of Emotional Distress after She agreed to consenting to **Her** interaction with **Plaintiff Webb** and provided Her Business Contact Information, but told **Disparaging Information** to the **Gig Harbor Police Department** and had **Defendant Defendant GIG HARBOR PENINSULA AREA CHAMBER OF COMMERCE**, through **Defendant WARREN ZIMMERMAN**, President & Chief Executive Officer authorize and request the issuance of the **"NO TRESPASS ADMONISHMENT"** on **07 March 2019**, by **Defendant TRAY FEDERICI**, Gig Harbor Police Detective to **Plaintiff Webb**, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant GIG HARBOR PENINSULA AREA CHAMBER OF COMMERCE.

Additionally, **Defendant SPENSER CZULEGER committed Intentional Infliction of Emotional Distress** after She phoned the **Gig Harbor Police Department** on **28 February 2019**, after seeing **Plaintiff Webb** conducting **Legal DMV Business** Registering His SUV at the **DMV Office in Gig Harbor, Washington** that resulted in an **illegal Detainment** outside of the **DMV Gig Harbor Office** by **Defendant Tary Federici**.

Plaintiff Webb incorporates herewith from above **COUNT I: [1][B]** to support the facts about **Defendant SPENSER CZULEGER Intentional Infliction of Emotional Distress** on **28 February 2019**.

[8] Defendant Defendant SUE BRAATEN committed Intentional Infliction of Emotional Distress after **Defendant SUE BRAATEN**, Hotel Manager provided **Disparaging Information** to the **Gig Harbor Police Department** and had **Defendant BEST WESTERN WESLEY INN & SUITES**, through **Defendant SUE BRAATEN**, Hotel Manager authorize and request the issuance of the **"NO TRESPASS ADMONISHMENT"** on **07 March 2019**, by **Defendant TRAY FEDERICI**, Gig Harbor Police Detective to **Plaintiff Webb**, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant BEST WESTERN WESLEY INN & SUITES.

[9] Defendant ALEXANDRA KEPL committed Intentional Infliction of Emotional Distress after **Defendant ALEXANDRA KEPL**, Waitress at **Sunset Grill Restaurant** agreed to consenting to **Her** interaction with **Plaintiff Webb** and provided Her Personal Contact Information, but told **Disparaging Information** to the **Gig Harbor Police Department** and had **Defendant SUNSET GRILL RESTAURANT**, through **Defendant ELIZABETH REMICK**, **Sunset Grill Restaurant Manager** authorize and request the issuance of the **"NO TRESPASS ADMONISHMENT"** on **07 March 2019**, by

Defendant TRAY FEDERICI, Gig Harbor Police Detective to **Plaintiff Webb**, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant SUNSET GRILL RESTAURANT.

[10] Defendant LAUREL STEELE committed Intentional Infliction of Emotional Distress after Defendant LAUREL STEELE, Store Manager provided **Disparaging Information** to the Gig Harbor Police Department and had Defendant SALLY BEAUTY SUPPLY, through Defendant LAUREL STEELE, Store Manager authorize and request the issuance of the “NO TRESPASS ADMONISHMENT” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant SALLY BEAUTY SUPPLY.

The Federal Jurisdiction for these above Defendants are under 28 U. S. C. 1367.

COUNT XI: NEGLIGENT INFLECTION OF EMOTIONAL DISTRESS

[1] Defendant ENTERPRISE HOLDINGS, L. L. C. committed Negligent Infliction of Emotional Distress after Defendant ENTERPRISE HOLDINGS, L. L. C. through Defendant Tyler Welch authorize and issuing the “NO TRESPASS NOTICE” - “...This is to formally notify you that you are NOT permitted to enter any Enterprise, National or Alamo Properties Nation-Wide and have been placed on our National Do Not Rent List...” on 01 April 2019, in the attached Letter to Plaintiff Webb, because He acted in His Official Capacity as the Regional Risk Manager and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant ENTERPRISE HOLDINGS, L. L. C.

[2] Defendant KEYBANK/KEYCORP committed Negligent Infliction of Emotional Distress after Defendant KEYBANK/KEYCORP through Defendant Riley Ranch authorize and request the issuance of the “NO TRESPASS ADMONISHMENT” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant KEYBANK/KEYCORP.

[3] Defendant KOHL’S DEPARTMENT STORE, INCORPORATED/KOHL’S, INCORPORATED committed Negligent Infliction of Emotional Distress through Defendant STORMI CROW authorize and request the issuance of the “NO TRESPASS ADMONISHMENT” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police

Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant KOHL’s DEPARTMENT STORE, INCORPORATED/KOHL’S, INCORPORATED.

[4] Defendant THE INN AT GIG HARBOR, L. L. C. committed Negligent Infliction of Emotional Distress through Defendant MARISOL HERNANDEZ authorize and request the issuance of the “NO TRESPASS ADMONISHMENT” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant THE INN AT GIG HARBOR, L. L. C.

[5] Defendant OCEAN 5 committed Negligent Infliction of Emotional Distress through Defendant Aaron Shook authorize and request the issuance of the “NO TRESPASS ADMONISHMENT” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant OCEAN 5, L. L.C.

[6] Defendants SOMA & CHICO’S committed Negligent Infliction of Emotional Distress through Defendant HALEY GROVE authorize and request the issuance of the “NO TRESPASS ADMONISHMENT” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendants SOMA & CHICO’S.

[7] Defendant GIG HARBOR PENINSULA AREA CHAMBER OF COMMERCE committed Negligent Infliction of Emotional Distress through Defendant WARREN ZIMMERMAN authorize and request the issuance of the “NO TRESPASS ADMONISHMENT” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant GIG HARBOR PENINSULA AREA CHAMBER OF COMMERCE.

[8] Defendant BEST WESTERN WESLEY INN & SUITES committed Negligent Infliction of Emotional Distress through Defendant SUE BRAATEN authorize and request the issuance of the “NO TRESPASS ADMONISHMENT” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff

Webb, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant BEST WESTERN WESLEY INN & SUITES.

[9] Defendant SUNSET GRILL RESTAURANT committed Negligent Infliction of Emotional Distress through Defendant ELIZABETH REMICK authorize and request the issuance of the “NO TRESPASS ADMONISHMENT” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant SUNSET GRILL RESTAURANT.

[10] Defendant SALLY BEAUTY SUPPLY committed Negligent Infliction of Emotional Distress through Defendant LAUREL STEELE authorize and request the issuance of the “NO TRESPASS ADMONISHMENT” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant SALLY BEAUTY SUPPLY.

[11] Defendant Busey participated in the Malicious Prosecution of Plaintiff Webb in the Kitsap County Superior Court by providing the whereabouts of Plaintiff Webb residing in Gig Harbor, Washington to the Port Orchard Chief of Police that led to the Illegal Arrest; Illegal Detention and Malicious Prosecution by the Kitsap County Prosecutor and makes Defendant Busey Legally Culpable under the Washington State Tort Claim for Negligent Infliction of Emotional Distress.

On 03 February 2020, Case No. 23428401 within the Kitsap County District Court and all other Felony and Misdemeanor Criminal Charges within the Kitsap County Superior Court under Case Nos. 19-1-00389-18 & 19-1-00800-18, were Dismissed With Prejudice based on a Malicious Prosecution of a “Factual Innocent” Criminal Defendant Webb.

The Malicious Prosecution is predicated on Attorney Kevin M. Anderson, Former Kitsap County Chief Public Defender comments on 25 April 2019, wherein He explicitly stated directly to Criminal Defendant Webb that He was Factually Innocent of the Criminal Charges within the Kitsap County Superior Court - Case #19-1-000389-18 and “...I have spoken with My Counterpart, the Kitsap County Prosecutor (Defendant ATTORNEY CHAD M. ENRIGHT) and studied all the evidence in this Case and...” “...all I have to do is pick up the Phone and Call the Kitsap County Prosecutor and the Case would be over, but the ‘Powers to be’ wanted to teach Criminal Defendant Webb a lesson about Sleeping with so many Married White Women in Our County...” “...Despite You being Factually Innocent of

the Charges in this County as an African American the Jury will still find You Guilty...”

This was confirmed Eight (8) Months later by **ATTORNEY JOHN SCOTT BOUGHER** on 12 December 2019, [See Pro Se Defendant Webb’s “**MOTION FOR TERMINATION OF COURT APPOINTED COUNSEL**” Filed with the Kitsap County District Court Case No. **23428401**, on 27 December 2019] by stating the following: “...Also, **Attorney BOUGHER** made His own culpable statement contained in the same **MOTION** - - The Only thing **Attorney Bougher** has made Unequivocal is that the “...**Judicial Officers and Plaintiff** [State of Washington] ‘**Powers to Be**’ are disgusted with your Actions that are not Criminal, but Will Not Be Tolerated In Our Community and the Jury Will Convict You On Principle Alone, Despite No Crime has been Committed...”

Both above are Predicated on the **Federal Petition for a Writ of Habeas Corpus** Filed within the **United States District Court for the Western District of Washington** (Case No. **3:19-CV-05561-BHS**) **Petition for a Federal Writ of Habeas Corpus under 28 U. S. C. 2241(c)(3), pursuant to Special Circumstances for Federal Intervention.**

The **Federal Jurisdiction** for these above Defendants are under **28 U. S. C. 1367.**

COUNT XII: RCW 18.86.090 - VICARIOUS LIABILITY.

(1) A principal is not liable for an act, error, or omission by an agent or subagent of the principal arising out of an agency relationship:

(a) Unless the principal participated in or authorized the act, error, or omission; or

(b) Except to the extent that:

(i) The principal benefited from the act, error, or omission; and

(ii) the court determines that it is highly probable that the claimant would be unable to enforce a judgment against the agent or subagent.

(2) A broker is not liable for an act, error, or omission of a subagent under this chapter, unless that broker participated in or authorized the act, error or omission. This subsection does not limit the liability of a firm for an act, error, or omission by a broker licensed to the firm.

[1] Defendant **ENTERPRISE HOLDINGS, L. L. C.**, became **Vicariously Liable** pursuant to **RCW 18.86.090(1)(a) & RCW 18.86.090(1)(b)**, as soon as Defendant **Tyler Welch** authorized and issued the “**NO TRESPASS NOTICE**” - - “...**This is to formally**

notify you that you are NOT permitted to enter any Enterprise, National or Alamo Properties Nation-Wide and have been placed on our National Do Not Rent List...” on 01 April 2019, in the attached Letter to Plaintiff Webb, because He acted in His Official Capacity as the Regional Risk Manager and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant ENTERPRISE HOLDINGS, L. C.

[2] Defendant KEYBANK/KEYCORP, became Vicariously Liable pursuant to RCW 18.86.090(1)(a) & RCW 18.86.090(1)(b), as soon as Defendant Riley Ranch, Bank Manager at KeyBank, 5001 Olympic Drive N. W., Gig Harbor, Washington authorized and had issued the “NO TRESPASS ADMONISHMENT” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant KEYBANK/KEYCORP.

[3] Defendant KOHL’s DEPARTMENT STORE, INCORPORATED/KOHL’S, INCORPORATED, became Vicariously Liable pursuant to RCW 18.86.090(1)(a) & RCW 18.86.090(1)(b), as soon as Defendant Stormi Crow, Kohl’s Store Manager at 4929 Point Fosdick Drive, N. W., Gig Harbor, Washington authorized and had issued the “NO TRESPASS ADMONISHMENT” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant KOHL’s DEPARTMENT STORE, INCORPORATED/KOHL’S, INCORPORATED.

[4] Defendant THE INN AT GIG HARBOR, L. L. C., became Vicariously Liable pursuant to RCW 18.86.090(1)(a) & RCW 18.86.090(1)(b), as soon as Defendant Marisol Hernandez, Hotel Manager at 3211 56th Street, N. W., Gig Harbor, Washington authorized and had issued the “NO TRESPASS ADMONISHMENT” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant THE INN AT GIG HARBOR, L. L. C.

[5] Defendant OCEAN 5, L. L.C., became Vicariously Liable pursuant to RCW 18.86.090(1)(a) & RCW 18.86.090(1)(b), as soon as Defendant Aaron Shook, Ocean 5 General Manager at 5268 Point Fosdick Drive, N. W., Gig Harbor, Washington authorized and had issued the “NO TRESPASS ADMONISHMENT” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office

found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant OCEAN 5, L. L. C.

[6] Defendant SOMA & CHICO'S, became **Vicariously Liable** pursuant to RCW 18.86.090(1)(a) & RCW 18.86.090(1)(b), as soon as Defendant **HALEY GROVE**, SOMA Store Manager at 4729 Point Fosdick Drive, N. W., Gig Harbor, Washington and **CHICO'S** at 4735 Point Fosdick Drive, N. W., Gig Harbor, Washington authorized and had issued the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant **TRAY FEDERICI**, Gig Harbor Police Detective to Plaintiff **Webb**, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant SOMA & CHICO'S.

[7] Defendant GIG HARBOR PENINSULA AREA CHAMBER OF COMMERCE, became **Vicariously Liable** pursuant to RCW 18.86.090(1)(a) & RCW 18.86.090(1)(b), as soon as Defendant **WARREN ZIMMERMAN**, President & Chief Executive Officer at 3125 Judson Street, N. W., Gig Harbor, Washington authorized and had issued the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant **TRAY FEDERICI**, Gig Harbor Police Detective to Plaintiff **Webb**, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant GIG HARBOR PENINSULA AREA CHAMBER OF COMMERCE.

[8] Defendant BEST WESTERN WESLEY INN & SUITES, became **Vicariously Liable** pursuant to RCW 18.86.090(1)(a) & RCW 18.86.090(1)(b), as soon as Defendant **Sue Braaten**, Hotel Manager at 6575 Kimball Drive, Gig Harbor, Washington authorized and had issued the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant **TRAY FEDERICI**, Gig Harbor Police Detective to Plaintiff **Webb**, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant BEST WESTERN WESLEY INN & SUITES.

[9] Defendant SUNSET GRILL RESTAURANT, became **Vicariously Liable** pursuant to RCW 18.86.090(1)(a) & RCW 18.86.090(1)(b), as soon as Defendant **Elizabeth Remick**, Sunset Grill Restaurant Manager at 4926 Point Fosdick Drive, N. W., Gig Harbor, Washington authorized and had issued the "NO TRESPASS ADMONISHMENT" on 07 March 2019, by Defendant **TRAY FEDERICI**, Gig Harbor Police Detective to Plaintiff **Webb**, because He acted in His Official Capacity as a Police Officer Acting under "Color of State Law" and the Kitsap County Prosecutor's Office nor the Pierce County Prosecutor's Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant SUNSET GRILL RESTAURANT.

[10] Defendant SALLY BEAUTY SUPPLY, became Vicariously Liable pursuant to RCW 18.86.090(1)(a) & RCW 18.86.090(1)(b), as soon as Defendant Laurel Steele, Sally Beauty Store Manager at 5500 Olympic Drive, N. W., Gig Harbor, Washington authorized and had issued the “NO TRESPASS ADMONISHMENT” on 07 March 2019, by Defendant TRAY FEDERICI, Gig Harbor Police Detective to Plaintiff Webb, because He acted in His Official Capacity as a Police Officer Acting under “Color of State Law” and the Kitsap County Prosecutor’s Office nor the Pierce County Prosecutor’s Office found NO Criminal Activity associated with the Trespass Admonishment issued by Defendant SALLY BEAUTY SUPPLY.

The Federal Jurisdiction for these above Defendants are under 28 U. S. C. 1367.

Finally, this would be litigated in accordance with Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U. S. 228 (1944), overruled on other grounds by Standard Oil Co. of California v. United States, 429 U. S. 17 (1976), which Mandates that the Defendants can make NO Defense of the allegations, because the “Fraud-Upon-The-Court” is inherent within the Official Court Record Intrinsically and Extrinsically by the violations of Plaintiff Webb’s 4th & 14 Amendments under the U. S. Constitution by the Gig Harbor Police Named Defendants and the Illegal Trespass Admonishments based on Racial Animus against Plaintiff Webb [David Q. Webb] Color, Race and National Origin as an African American Male.

The U. S. Supreme Court held in Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U. S. 228 (1944) - -

“...Syllabus

Upon appeal from a judgment of the District Court denying relief in a suit by Hartford against Hazel for infringement of a patent, the Circuit Court of Appeals in 1932 held Hartford's patent valid and infringed, and, upon its mandate, the District Court entered judgment accordingly. In 1941, Hazel commenced in the Circuit Court of Appeals this proceeding, wherein it conclusively appeared that Hartford, through publication of an article purporting to have been written by a disinterested person, had perpetrated a fraud on the Patent Office in obtaining the patent and on the Circuit Court of Appeals itself in the infringement suit. Upon review here of an order of the Circuit Court of Appeals denying relief, held:

1. Upon the record, the Circuit Court of Appeals had the power and the duty to vacate its 1932 judgment and to give the District Court appropriate directions. P. 322 U. S. 247.

(a) Even if Hazel failed to exercise due diligence to uncover the fraud, relief may not be denied on that ground alone, since public interests are involved. P. 322 U. S. 246.

(b) In the circumstances, Hartford may not be heard to dispute the effectiveness, nor to assert the truth, of the article. P. 322 U. S. 247...”

The Court will obtain the most explicit detail of the **Washington State and Kitsap County Government** illegal Detention circumstances by obtaining PACER from the U. S. District Court for the Western District of Washington (Case No. 3:19-CV-05561-BHS) **Petition for a Federal Writ of Habeas Corpus under 28 U. S. C. 2241(c)(3), pursuant to Special Circumstances for Federal Intervention, laying-out explicitly the violations of My 1st, 4th, 6th, 8th & 14th Amendments**, which was tantamount to this Federal Court's **ORDER** dated 06 February 2020.

These Legal Circumstances are supported by the Undisputed Facts, within the **Kitsap County Superior Court; Kitsap County District Court; Kitsap County Sheriff's Office Jail; Pierce County Prosecutor's Office and Gig Harbor Police Department** all have **Official Discovery Documentation**.

V. INJURIES

Plaintiff Webb alleges that all of the above **Defendants Acting in Their Official & Individual Capacities as Non-State Actors** violated **Plaintiff Webb's Washington State Constitutional Civil Rights** that caused **Extreme Mental Anguish and Pain & Suffering** while being **Deliberately Indifferent** towards **Plaintiff Webb**.

In Cases involving an inmate's Medical needs, the need 'must be, objectively, 'sufficiently serious.' See Farmer v. Brennan, 511 U. S. 825, 834 (1994).

Plaintiff Webb alleges that all of the above **Defendants Acting Under Color of Law** that violated **Plaintiff Webb's U. S. Constitutional Civil Rights** caused **Extreme Mental Anguish and Pain & Suffering** while being **Deliberately Indifferent** towards **Plaintiff Webb**.

VI. RELIEF

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I am seeking Compensation for **Money Damages** from the **City of Gig Harbor Government** and specific **Named Defendants** in their **Individual & Official Capacities** after being denied the **Protection Under The Laws of the United States Constitution under the 14th Amendment** on 20 February 2019 and being held illegally by the **Gig Harbor Police Department Law Enforcement Officers** in Gig Harbor, Washington on 28 February 2019.

These are the amicable **Money Damages** for the Unconscionable Mental Anguish Suffered from being Mentally Abused during the above events, as follows:

Paying the Total Sum of \$3.8 Million Dollars from City of Gig Harbor Government and/or its Indemnification Insurer to Plaintiff Webb.

I am seeking Compensation for **Money Damages** from each of the **Named Defendants** that contributed directly and/or indirectly to the **Trespass Notice & Admonishments against Plaintiff Webb based on Racial Animus in their Individual & Official Capacities** as Final Policy Maker and/or Employees for each respective Business.

These are the amicable **Money Damages** for the Unconscionable Mental Anguish Suffered from being Mentally Abused during the above events, as follows:

Each Named Defendants as Employees of the Businesses Named Defendants Paying the Sum of \$50,000.00 Dollars from Them Personally to Plaintiff Webb.

Lastly, Plaintiff Webb alleges that each of the Employers as Named Defendants above each Paying the Sum of \$780,000.00, for Their Legal Liabilities under the Vicarious Liability Statute [RCW (Revised Code of Washington) 18.86.090], Whom Employees Authorized the "Trespass Notice/Trespass Admonishments," which basically stipulates:

"... In Washington, the General Rule is that in order to hold an Employer Vicariously Liable for the Torturous Acts of its Employees, the Employee must have been Acting in furtherance of the Employer's Business and within the Course and Scope of Employment when the Torturous Act was committed..."

WHEREFORE, Plaintiff **DAVID Q. WEBB** respectfully prays that this Court:

- A. Enter Judgement in his favor and against All Named Defendants.
- B. Award Compensatory Damages, Attorney's Fees, and Costs against each Defendant, and Punitive Damages against each of the Defendants in their Individual Capacity.
- C. Grant such other and further Relief as the Court deems Equitable and Just.

VII. CERTIFICATION AND CLOSING

Under **Federal Rule of Civil Procedure 11**, by signing below, I certify to the best of my knowledge, information, and belief that this complaint:

(1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of **Rule 11**.

I agree to provide the **Clerk's Office** with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the **Clerk's Office** may result in the dismissal of my case.


Date of signing: 10 January 2022

Signature of Plaintiff:


Printed Name of Plaintiff: David Q. Webb

I Certify or Declare under Penalty of Perjury under the Laws of the State of Delaware & Washington and the United States of America that the foregoing is true and correct to the best of knowledge, information and belief in accordance with **28 U. S. C. 1746.**

Executed this 10th Day of January 2022.

David Q. Webb
Print Name


/s/ David Q. Webb
Signature

EXHIBIT - A:

OFFICIAL COMPLAINT TO DEFENDANT
KELLY BUSEY, CHIEF OF POLICE OF GIG
HARBOR POLICE DEPARTMENT DATED
19 MARCH 2019 & DEFENDANT BUSEY
RESPONSE DATED 20 MARCH 2019

1/6/22, 6:30 AM

RE: Official Compliant About Gig Harbor Police Report #1905100722

From: BuseyK@cityofgigharbor.net,
To: dqconsulting@aol.com,
Subject: RE: Official Compliant About Gig Harbor Police Report #1905100722
Date: Wed, Mar 20, 2019 4:58 pm

Mr. Webb

I have reviewed this message and it appears very broad. It might be easier to meet in person so that I can better understand it.

What is your availability today, tomorrow afternoon, or mid-day Friday?

Kelly Busey

Chief of Police

Gig Harbor Police Department

3510 Grandview Street

Gig Harbor, WA 98335

(253) 853-2422

From: dqconsulting@aol.com <dqconsulting@aol.com>
Sent: Tuesday, March 19, 2019 1:23 PM
To: Kelly Busey <BuseyK@cityofgigharbor.net>; Fred Douglas <DouglasF@cityofgigharbor.net>; Ryan Erwin <erwinr@cityofgigharbor.net>; Matt Dougil <DougilM@cityofgigharbor.net>
Subject: Official Compliant About Gig Harbor Police Report #1905100722

Wednesday, 19 March 2019

Good morning **Gig Harbor Chief of Police (Kelly Busey)** this Communication has been delayed based on being informed that You were on Vacation during the Week of (Monday 18 February 2019 through Sunday, 24 February 2019) **Police Report**

1/6/22, 6:30 AM

RE: Official Compliant About Gig Harbor Police Report #1905100722

#1905100722, was Generated and the following Week, too.

This Communication troubles Me to have to inform You of **Police Misconduct** by **Gig Harbor Police Officer (Erwin Ryan)** in Violation of **Federal Statute 42 U. S. C. 2000d-7**, under **Title VI of the Civil Rights Act of 1964**, ["...No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance..."].

This is based on the **Gig Harbor Police Department** as a **Law Enforcement Entity** being a **Receipt of Federal Funding** from the **United States Department of Justice**, please see **United States Supreme Court Case Law [South Dakota v. Dole]**. **South Dakota v. Dole**, 483 U.S. 203 (1987), was a case in which the **United States Supreme Court** considered the limitations that the Constitution places on the authority of the **United States Congress** when it uses its authority to influence the individual states in areas of authority normally reserved to the states. It upheld the **constitutionality** of a federal statute that withheld federal funds from states whose legal drinking age did not conform to federal policy.

This involves:

[A] Oil & Ant-iFreeze Stolen right in Front of **Officer Erwin Ryan & Sergeant Matthew Dougil** on Wednesday, 20 Febrarury 2019, by **Dominique Ryan** that was purchased for the **Buick Rainier 2004**.

[B] **Dominique Ryan** commits the Crime of taking the Car Keys She was Ordered to surrender to **David Webb** by **Officer Erwin Ryan** to Key-Up the Whole Passanger-Side from the Front Fender to the Rear Fender as **Dominique Ryan** was on the Passanger-Side of the Buick Rainier 2004, obtaining all Her Personal Items as Ordered by **Officer Erwin Ryan** to Remove.

[C] **Dominique Ryan** committing the Crime of Opening and Stealing the **Vechile Registration Documents** out of the Gove Compartment as She was on the Passanger-Side of the Buick Rainier as both **Officer Ryan** and **Sergeant Dougil** felt it necessary to only keep a Hawk-Eye on David Webb and not any attention on **Dominique Ryan**. **David Webb** had to obtain a Second Registration from the Dealership [**MC Euro, LLC**] in Tacoma, Washington via **Ms. Lori Cassimore** along with immediately changing all documents that inadvertently recognizing **Dominique Ryan** as the Registered Owner & Lien Owner.

[D] **Dominique Ryan** walked away with **David Webb's** iPhone 8 Plus with 64G Costing \$699.00, before Taxes and a Second iPhone 8 Plus with 256G Costing \$899.00, before Taxes purchased on Sunday, 17 February 2019, from the iPhone Store at the Tacoma Mall, by condoning such conduct after **David Webb** informed both **Officer Ryan & Sergeant Dougil** that **Dominique Ryan** had His iPhone 8 Plus in Her Possession for **Mr. Webb** acknowledged He had the Sales Receipt to show both **Officer Ryan & Sergeant Dougil**. **Officer Ryan** stated that it is a Small Price to pay to get Your Buick Rainier back in Your Legal Possession and it is not worth it to Hire a Lawyer to Sue **Dominique Ryan** for the Two (2) iPhones mentioned above.

Gig Harbor Police Chief Busey, please see the attached Letter from the AT&T General Counsel (**Attorney David R. McAtee, II**) authorizing the AT&T Personnel (**Brenda**) at the AT&T Gig Harbor Store acknowledging that She personally heard and observed **Mr. Webb** was only allowing **Dominique Ryan** and Her Younger Sister (**Trinity**) to use the iPhones detailed above for a Temporary Basis until **Dominique Ryan** obtained the Family Member to Purchase Her a New iPhone under the Plan She was currently under with this Family Member, because Dominique Ryan had Deceptively told David Webb that Her iPhone 6 Charger was no longer working and this can be attested to by the iPhone Sales Associate (**Presley**) from Saling Mr. Webb these iPhones on Sunday, 17 February 2019.

[E] **Officer Erwin Ryan** showed a strong Affinity to **Dominique Ryan** as He condoned all Her Crime Conduct as detailed above and has since become Sexually Involved with **Dominique Ryan**, which Violates Gig Harbor Police Deapftment Policies & Procedures along with Washington State Law Enforcement Polices & Procedures and Federal Statutes for Law Enforcement Entities, too.

1/6/22, 6:30 AM

RE: Official Compliant About Gig Harbor Police Report #1905100722

Gig Harbor Police Chief Busey, this was all relied to **Officer Ryan** on Wednesday, 20 February 2019, just Hours after leaving the **Gig Harbor Police Station** via **Dispatatch Operator #41**, who explicitly stipulated that She would be Emailing **Officer Ryan** immediately of these Crimes Committed and Observation of Actions taken by **Dominique Ryan** to Deface the Buick Rainier - 2004.

The **Police Report #1905100722**, is Devoid of all these detailed Incidents mentioned above with Malice and Forethought by **Officer Ryan**.

Police Chief Busey, please make arrangements for a Police Escort over to **Dominique Ryan's Home** at 5511 51st Avenue, Court NW, Gig Harbor, Washington 98335-7103, Unannounced in the next Three (3) Business Days to acquire the Two (2) iPhones detailed above as **Mr. Webb's Legal Property Stolen from Mr. Webb upon the Refusal to Return such on Wednesday, 20 February 2019.**

Thanks in advance for Your Cooperation and Attentiveness to this Official Complaint.

Best regards, /s/ David Webb - Cell (602) 715-6817

EXHIBIT - B:

WASHINGTON STATE DEPARTMENT OF
LICENSING - REGISTRATION
CERTIFICATE ISSUED 28 FEBRUARY 2019
& FILING FEE RECEIPT DATED 28
FEBRUARY 2019



Registration Certificate

Model Year 2004	Make BUIC	Model RAINIER	Body Style Sport Utility	Vehicle identification number (VIN) 5GADT13S642170094	Scale Weight 4,600
Plate/Tag no BOT3231	Tab/Decal no A298024	Primary vehicle use type Passenger Vehicle	Issue date 02/28/2020	Exp date 03/01/2021	
Plate/Tag no	Tab/Decal No	Vehicle use type	Issue date	Exp date	
Gross Weight	Gr wt start date	Gross weight exp date	Fleet no	Equip no	

Registered Owner

WEBB, DAVID Q
4810 POINT FOSDICK DR NW
STE 143
GIG HARBOR WA 98335-1711

Legal Owner

Same as Registered Owner

Brands/Comments: 37245/2004, BLACK, Display tab on back license plate only - front plate is still required

Anyone who knowingly makes a false statement may be guilty of a felony under state law and upon conviction shall be punished by a fine, imprisonment, or both.

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct and, as owner or authorized agent of the vehicle, it is free of any claim of lien, mortgage, conditional sale or other security interest of any person except the person or persons set forth as legal owners.

X

Signature of registered owner

X

Signature of registered owner

Date and place signed

28 February 2020 at Peninsula Licensing
Agency, LLC, 3206 50th Street
Court, NW, A-109
Gig Harbor, WA 98335

Date and place signed

L0094932519

TD-420-802 (R.12/16) Page 1 of 2

Vehicle Information:		BOT3231	5GADT13S642170094	2004	BUIC	RAINIER	Sport Utility
Filing	Registration Filing						\$4.50
Registration	License Plate Technology						\$0.25
	Dept. of Licensing Service						\$0.50
	Vehicle Weight						\$45.00
	Registration License						\$30.00
Service	Registration Service Fee						\$8.00

This is Your Registration
Processed by
PENINSULA LICENSING AGENCY LLC
GIG HARBOR WA
253-858-3773

Fee Total: \$88.2!

Issue Date: 02/28/2020

You can get a copy of this cash/fee receipt detail at www.dol.wa.gov.Skip a trip – go online www.dol.wa.gov

MA DOL Peninsula License Agency
3206 50th Street CT MA MA 109
619 Harbor, MA 98335

HLI: 372023518982
TID: 07878759
Terminal ID: V0889703
Date / Time: 2/28/20 1:03 PM PST
Receipt Number: 185903041

Card #: *****4158
Expiration Date: 11/6/21
Transaction Type: Sale \$50.50
Transaction Date: 2/28/20 1:03 PM PST
Payment Type: Debit
Card Type: MasterCard
Approval Code: 123456

Vehicle \$50.25
21260126604412

Access Amount: \$50.25
LexisNexis Service Fee: \$2.25

Total Fee: \$50.50

Customer Copy

EXHIBIT - C

GIG HARBOR POLICE DEPARTMENT - CASE #1906500993 -TRESPASS ADMONISHMENTS



Case #1906500993

"THE MARITIME CITY"

POLICE DEPARTMENT

TRESPASS ADMONISHMENT

Name: (Last) Webb (First) David (Middle) Quintin

DOB: ADDRESS: TRANSIENT- GIG HARBOR WASHINGTON

HEIGHT: 5'10 WEIGHT: 180 RACE: B SEX: M

DATE: TIME:

PARENT NAME: (If under age 18)

WARNING:

I have been advised of Washington State Law RCW: 9A.52.080 (Criminal Trespass in the Second Degree). I understand that the Gig Harbor Police Department is acting as an agent for the owners/managers of the listed location/locations and that advisement has been made denying me access to enter or remain on these premises for one year from the above date. I understand that I am subject to arrest and criminal prosecution if I act in disregard of this notice.

Signature: REFUSED TO SIGN / VERBALLY EXPLAINED

Issuing Officer: ERWIN Pers#: GH24

Copy Mailed to Parent (If under age 18) on

Date

Location: Gig Harbor Chamber of Commerce, 3125 Judson St Gig Harbor WA 98335

Location: Wesley Inn and Suites, 6575 Kimbal Dr Gig Harbor WA 98335

Location: Kohls, 4929 Point Fosdick Drive NW Gig Harbor WA 98335

Location: Sally Beauty Supply, 5500 Olympic Dr NW Gig Harbor WA 98335

Location: Inn at Gig Harbor, 3211 56th ST NW

Location: Key Bank, 5001 Olympic Dr NW Gig Harbor WA 98335

Location: Ocean's 5, 5268 Point Fosdick Dr NW Gig Harbor WA 98335

Location: Soma, 4729 Point Fosdick Dr NW Gig Harbor WA 98335

Location: Chicos, 4735 Point Fosdick Dr NW Gig Harbor WA 98335

Location: Sunset Grill, 4926 Point Fosdick Dr NW Gig Harbor WA 98335

Location: Great Car Care Center/ Great Carwash, 6750 Kimball Dr Gig Harbor WA 98335

Location: Great car Was Detail Center, 6755 Kimball Gig Harbor WA 98335

Location: _____

Location: _____

Location: _____

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EXHIBIT - D

LETTER FROM DEFENDANT TYLER
WELCH, REGIONAL RISK SUPERVISOR
FOR ENTERPRISE HOLDINGS, LLC -
DATED 01 APRIL 2019 - NO TRESPASS
NOTICE OF ANY NATION-WIDE
PROPERTIES FOR ENTERPRISE;
NATIONAL OR ALAMO

NO TRESPASS NOTICE

TO:
David Webb
License Number: 194712022
DOB: [REDACTED]

FROM:
Enterprise Holdings, LLC
1119 SW 7th ST
Renton, WA 98057

DATE: 04/01/2019

This is to formally notify you that you are NOT permitted to enter any Enterprise, National or Alamo properties nation-wide and have been placed on our National Do Not Rent list. This notice is in conjunction to Case # D19-000627. Failure to comply with the notice and violation of the terms of notice will constitute criminal trespass.



Tyler Welch
Regional Risk Supervisor



9505 5134 0447 2010 2512 68

POSTAL SERVICE®

PRIORITY®
MAIL

- Expected delivery date specified for domestic use.
 - Most domestic shipments include up to \$50 of insurance (restrictions apply).*
 - USPS Tracking® included for domestic and many international destinations.
 - Limited international insurance.**
 - When used internationally, a customs declaration form is required.
- *Insurance does not cover certain items. For details regarding claims exclusions see the Domestic Mail Manual at <http://pe.usps.com>.
- ** See International Mail Manual at <http://pe.usps.com> for availability and limitations of coverage.

FLAT RATE ENVELOPE
ONE RATE ■ ANY WEIGHT

TRACKED ■ INSURED



PS00001000014

EP14F May 2020
DD: 12 1/2 x 9 1/2

USPS.COM/PICKUP

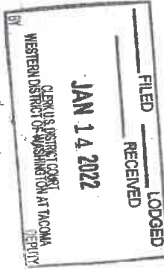
To schedule free Package Pickup,
scan the QR code.

1004

\$8.95
R2305M1435B-07

FROM:

PAID 01/14/22
40 East Main Street #137
Newark, Delaware 19711



TO:

U.S. District Court for the District of Washington
Office of the Clerk
1717 Pacific Avenue, Room #3400
Tacoma, Washington 98402

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